

VIA ECF

The Honorable Arun Subramanian
United States District Judge
United States District Court, Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

November 6, 2024

Re: *United States, et al. v. Live Nation Entertainment, Inc., et al.*, No. 1:24-cv-03973

Dear Judge Subramanian:

Pursuant to the Court's order dated October 30, 2024 (Dkt. No. 329), Plaintiffs and Defendants submit this joint letter advising the Court of the parties' efforts to reach consensus on the proposed amendment to the Protective Order. Attached as Exhibit A is a redline reflecting the Parties' remaining disagreements as to the content of the proposed amendment to the Protective Order. The black text reflects Plaintiffs' proposed language. The redlined text reflects Defendants' proposed changes to Plaintiffs' proposal as to which the Parties have not reached agreement. Attached as Exhibit B is a clean version of Plaintiffs' proposal following the October 29th hearing. Attached as Exhibit C is a clean version of Defendants' proposal.

[signatures on following page]

Dated November 6, 2024

Respectfully submitted,

LATHAM & WATKINS LLP

/s/ Alfred C. Pfeiffer

Alfred C. Pfeiffer (admitted *pro hac vice*)

Co-Lead Trial Counsel

Timothy L. O'Mara (admitted *pro hac vice*)

Jennifer L. Giordano

Andrew M. Gass (admitted *pro hac vice*)

Kelly S. Fayne (admitted *pro hac vice*)

Lindsey S. Champlin (admitted *pro hac vice*)

Robin L. Gushman (admitted *pro hac vice*)

505 Montgomery Street, Suite 2000

San Francisco, CA 94111

(415) 391-0600

555 11th Street, NW, Suite 1000

Washington, D.C. 20004

(202) 637-2200

Al.Pfeiffer@lw.com

Tim.O'Mara@lw.com

Jennifer.Giordano@lw.com

Andrew.Gass@lw.com

Kelly.Fayne@lw.com

Lindsey.Champlin@lw.com

Robin.Gushman@lw.com

Attorneys for Defendants Live Nation

Entertainment, Inc. and Ticketmaster L.L.C.

CRAVATH, SWAINE & MOORE LLP

/s/ David R. Marriott

David R. Marriott

Co-Lead Trial Counsel

Lauren A. Moskowitz

Jesse M. Weiss

Nicole M. Peles

Two Manhattan West

375 Ninth Avenue

New York, NY 10001

(212) 474-1000

dmarriott@cravath.com

lmoskowitz@cravath.com

jweiss@cravath.com

npeles@cravath.com

Attorneys for Defendants Live Nation

Entertainment, Inc. and Ticketmaster L.L.C.

/s/ Bonny Sweeney

BONNY SWEENEY

Lead Trial Counsel

John R. Thornburgh II

Trial Attorney

United States Department of Justice

Antitrust Division

450 Fifth Street N.W., Suite 4000

Washington, DC 20530

Telephone: (202) 725-0165

Facsimile: (202) 514-7308

Bonny.Sweeney@usdoj.gov

John.Thornburgh@usdoj.gov

Attorneys for Plaintiff United States

/s/ Robert A. Bernheim

Robert A. Bernheim (admitted *pro hac vice*)

Office of the Arizona Attorney General

Consumer Protection & Advocacy Section

2005 N. Central Avenue

Phoenix, AZ 85004

Telephone: (602) 542-3725

Fax: (602) 542-4377

Robert.Bernheim@azag.gov

Attorney for Plaintiff State of Arizona

/s/ Amanda J. Wentz

Amanda J. Wentz (admitted *pro hac vice*)

Assistant Attorney General

Arkansas Attorney General's Office

323 Center Street, Suite 200

Little Rock, AR 72201

Phone: (501) 682-1178

Fax: (501) 682-8118

Email: amanda.wentz@arkansasag.gov

Attorney for Plaintiff State of Arkansas

/s/ Paula Lauren Gibson

Paula Lauren Gibson (Admitted *Pro Hac Vice*)

Deputy Attorney General

(CA Bar No. 100780)

Office of the Attorney General

California Department of Justice

300 South Spring Street, Suite 1702

Los Angeles, CA 90013

Tel: (213) 269-6040

Email: paula.gibson@doj.ca.gov

Attorney for Plaintiff State of California

/s/ Conor J. May

Conor J. May (admitted *pro hac vice*)

Assistant Attorney General

Antitrust Unit

Colorado Department of Law

Conor.May@coag.gov

1300 Broadway, 7th Floor

Denver, CO 80203

Telephone: (720) 508-6000

Attorney for Plaintiff State of Colorado

/s/ Kim Carlson McGee

Kim Carlson McGee (admitted *pro hac vice*)
Assistant Attorney General
Office of the Attorney General of
Connecticut
165 Capitol Avenue
Hartford, CT 06106
Telephone: 860-808-5030
Email: kim.mcgee@ct.gov
Attorney for Plaintiff State of Connecticut

/s/ Adam Gitlin

Adam Gitlin (*pro hac vice* forthcoming)
Chief, Antitrust and Nonprofit Enforcement
Section
Office of the Attorney General for the
District of Columbia
400 6th Street NW, 10th Floor
Washington, DC 20001
Adam.gitlin@dc.gov
Attorney for Plaintiff District of Columbia

/s/ Elizabeth A. Brady

Lizabeth A. Brady
Director, Antitrust Division
Liz.Brady@myfloridalegal.com
Florida Office of the Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1050
850-414-3300
Attorney for Plaintiff State of Florida

/s/ Richard S. Schultz

Richard S. Schultz (Admitted *pro hac vice*)
Assistant Attorney General
Office of the Illinois Attorney General
Antitrust Bureau
115 S. LaSalle Street, Floor 23
Chicago, Illinois 60603
(872) 272-0996 cell phone
Richard.Schultz@ilag.gov
Attorney for Plaintiff State of Illinois

/s/ Jesse Moore

Jesse Moore (*pro hac vice* forthcoming)
Deputy Attorney General
Jesse.Moore@atg.in.gov
Office of the Indiana Attorney General
302 W. Washington St., Fifth Floor
Indianapolis, IN 46204
Phone: 317-232-4956
Attorney for the Plaintiff State of Indiana

/s/ Noah Goerlitz

Noah Goerlitz (*pro hac vice* forthcoming)
Assistant Attorney General
Office of the Iowa Attorney General
1305 E. Walnut St.
Des Moines, IA 50319
Tel: (515) 281-5164
noah.goerlitz@ag.iowa.gov
Attorney for Plaintiff State of Iowa

/s/ Lynette R. Bakker

Lynette R. Bakker (*pro hac vice* forthcoming)
First Assistant Attorney General
Antitrust & Business Organizations
lynette.bakker@ag.ks.gov
Kansas Office of Attorney General
120 S.W. 10th Avenue, 2nd Floor
Topeka, KS 66612-1597
Phone: (785) 296-3751
Attorney for Plaintiff State of Kansas

/s/ Mario Guadamud

Mario Guadamud
Assistant Attorney General
Complex Litigation Section
Louisiana Office of Attorney General
1885 North Third Street
Baton Rouge, LA 70802
Phone: (225) 326-6400
Fax: (225) 326-6498
GuadamudM@ag.louisiana.gov
Attorney for Plaintiff State of Louisiana

/s/ Schonette J. Walker

Schonette J. Walker (Admitted *pro hac vice*)
Assistant Attorney General
Chief, Antitrust Division
swalker@oag.state.md.us
200 St. Paul Place, 19th floor
Baltimore, Maryland 21202
(410) 576-6470
Attorney for Plaintiff State of Maryland

/s/ Katherine W. Krems

Katherine W. Krems (admitted *pro hac vice*)
Assistant Attorney General, Antitrust
Division
Office of the Massachusetts Attorney
General
One Ashburton Place, 18th Floor
Boston, MA 02108
Katherine.Krems@mass.gov
(617) 963-2189
*Attorney for Plaintiff Commonwealth of
Massachusetts*

/s/ LeAnn D. Scott

LeAnn D. Scott (admitted *pro hac vice*)
Assistant Attorney General
Corporate Oversight Division
Michigan Department of Attorney General
P.O. Box 30736
Lansing, MI 48909
Tel: (517) 335-7632
Scottl21@michigan.gov
Attorney for Plaintiff State of Michigan

/s/ Zach Biesanz

Zach Biesanz
Senior Enforcement Counsel
Antitrust Division
zach.biesanz@ag.state.mn.us
Office of the Minnesota Attorney General
445 Minnesota Street, Suite 1400
Saint Paul, MN 55101
Phone: (651) 757-1257
Attorney for Plaintiff State of Minnesota

/s/ Gerald L. Kucia

Gerald L. Kucia (*pro hac vice* forthcoming)
Special Assistant Attorney General
Gerald.Kucia@ago.ms.gov.
Mississippi Office of Attorney General
Post Office Box 220
Jackson, Mississippi 39205
Phone: (601) 359-4223
Attorney for Plaintiff State of Mississippi

/s/ Justin C. McCully

Justin C. McCully (*pro hac vice*
forthcoming)
Colin P. Snider (*pro hac vice* forthcoming)
Assistant Attorney General
Consumer Protection Bureau
Office of the Nebraska Attorney General
2115 State Capitol
Lincoln, NE 68509
Tel: (402) 471-9305
Email: justin.mccully@nebraska.gov
Attorneys for Plaintiff State of Nebraska

/s/ Lucas J. Tucker

Lucas J. Tucker (admitted *pro hac vice*)
Senior Deputy Attorney General
Office of the Nevada Attorney General
Bureau of Consumer Protection
100 N. Carson St.
Carson City, NV 89701
Email: ltucker@ag.nv.gov
Attorney for Plaintiff State of Nevada

/s/ Zachary Frish

Zachary A. Frish (admitted *pro hac vice*)
Assistant Attorney General
Consumer Protection & Antitrust Bureau
New Hampshire Attorney General's Office
Department of Justice
1 Granite Place South
Concord, NH 03301
(603) 271-2150
zachary.a.frish@doj.nh.gov
Attorney for Plaintiff State of New Hampshire

/s/ Yale A. Leber

Yale A. Leber (admitted *pro hac vice*)
Deputy Attorney General
New Jersey Office of the Attorney General
124 Halsey Street, 5th Floor
Newark, NJ 07101
Phone: (973) 648-3070
Yale.Leber@law.njoag.gov
Attorney for Plaintiff State of New Jersey

/s/ Jeremy R. Kasha

Jeremy R. Kasha
Assistant Attorney General
Jeremy.Kasha@ag.ny.gov
New York State Office of the Attorney General
28 Liberty Street
New York, NY 10005
(212) 416-8262
Attorney for Plaintiff State of New York

/s/ Jeff Dan Herrera

Jeff Dan Herrera (*pro hac vice* forthcoming)
Assistant Attorney General
Consumer Protection Division
JHerrera@nmdoj.gov
New Mexico Department of Justice
408 Galisteo St.
Santa Fe, NM 87501
Phone: (505) 490-4878
Attorney for Plaintiff State of New Mexico

/s/ Sarah G. Boyce

Sarah G. Boyce (admitted *pro hac vice*)
Deputy Attorney General & General Counsel
SBoyce@ncdoj.gov
North Carolina Department of Justice
Post Office Box 629
Raleigh, North Carolina 27602
Phone: (919) 716-6000
Facsimile: (919) 716-6050
Attorney for Plaintiff State of North Carolina

/s/ Sarah Mader

Sarah Mader (Admitted *pro hac vice*)
Assistant Attorney General
Antitrust Section
Sarah.Mader@OhioAGO.gov
Office of the Ohio Attorney General
30 E. Broad St., 26th Floor
Columbus, OH 43215
Telephone: (614) 466-4328
Attorney for Plaintiff State of Ohio

/s/ Robert J. Carlson

Robert J. Carlson (*pro hac vice* forthcoming)
Senior Assistant Attorney General
Consumer Protection Unit
Office of the Oklahoma Attorney General
15 West 6th Street
Suite 1000
Tulsa, OK 74119
Telephone: 918-581-2384
Email: robert.carlson@oag.ok.gov
Attorney for Plaintiff State of Oklahoma

/s/ Tim Nord

Tim Nord (admitted *pro hac vice*)
Special Counsel
Tim.D.Nord@doj.oregon.gov
Civil Enforcement Division
Oregon Department of Justice
1162 Court Street NE
Salem, Oregon 97301
Tel: (503) 934-4400
Fax: (503) 378-5017
Attorney for Plaintiff State of Oregon

/s/ Joseph S. Betsko

Joseph S. Betsko (admitted *pro hac vice*)
Assistant Chief Deputy Attorney General
Antitrust Section
jbetsko@attorneygeneral.gov
Pennsylvania Office of Attorney General
Strawberry Square, 14th Floor
Harrisburg, PA 17120
Phone: (717) 787-4530
Attorney for Plaintiff Commonwealth of Pennsylvania

/s/ Paul T.J. Meosky

Paul T.J. Meosky (admitted *pro hac vice*)
Special Assistant Attorney General
150 South Main Street
Providence, RI 02903
(401) 274-4400, ext. 2064
(401) 222-2995 (Fax)
pmeosky@riag.ri.gov
Attorney for Plaintiff State of Rhode Island

/s/ Danielle A. Robertson

Danielle A. Robertson (admitted *pro hac vice*)
Assistant Attorney General
Office of the Attorney General of South Carolina
P.O. Box 11549
Columbia, South Carolina 29211
DaniRobertson@scag.gov
(803) 734-0274
Attorney for Plaintiff State of South Carolina

/s/ Aaron Salberg

Aaron Salberg (*pro hac vice* forthcoming)
Assistant Attorney General
aaron.salberg@state.sd.us
1302 E. Hwy 14, Suite 1
Pierre SD 57501
Attorney for Plaintiff State of South Dakota

/s/ Hamilton Millwee

Hamilton Millwee (admitted *pro hac vice*)
Assistant Attorney General
Office of the Attorney General and Reporter
P.O. Box 20207
Nashville, TN 38202
Telephone: 615.291.5922
Email: Hamilton.Millwee@ag.tn.gov
Attorney for Plaintiff State of Tennessee

/s/ Diamante Smith

Diamante Smith (admitted *pro hac vice*)
Assistant Attorney General, Antitrust Division
Trevor Young (admitted *pro hac vice*)
Deputy Chief, Antitrust Division
Office of the Attorney General of Texas
P.O. Box 12548
Austin, TX 78711-2548
(512) 936-1674
Attorney for Plaintiff State of Texas

/s/ Marie W.L. Martin

Marie W.L. Martin (admitted *pro hac vice*)
Deputy Division Director,
Antitrust & Data Privacy Division
mwmartin@agutah.gov
Utah Office of Attorney General
160 East 300 South, 5th Floor
P.O. Box 140830
Salt Lake City, UT 84114-0830
Tel: 801-366-0375
Attorney for Plaintiff State of Utah

/s/ Sarah L. J. Aceves

Sarah L. J. Aceves (*pro hac vice*
forthcoming)
Assistant Attorney General
Consumer Protection and Antitrust Unit
sarah.aceves@vermont.gov
Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609
Phone: (802) 828-3170
Attorney for Plaintiff State of Vermont

/s/ Tyler T. Henry

Tyler T. Henry (admitted *pro hac vice*)
Senior Assistant Attorney General
Office of the Attorney General of Virginia
202 North 9th Street
Richmond, Virginia 23219
Telephone: (804) 786-2071
Facsimile: (804) 786-0122
thenry@oag.state.va.us
Attorney for Plaintiff Commonwealth of Virginia

/s/ Rachel A. Lumen

Rachel A. Lumen (admitted *pro hac vice*)
Assistant Attorney General, Antitrust
Division
Washington Office of the Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-5343
Rachel.Lumen@atg.wa.gov
Attorney for Plaintiff State of Washington

/s/ Douglas L. Davis

Douglas L. Davis (admitted *pro hac vice*)
Senior Assistant Attorney General
Consumer Protection and Antitrust Section
West Virginia Office of Attorney General
P.O. Box 1789
Charleston, WV 25326
Phone: (304) 558-8986
Fax: (304) 558-0184
douglas.l.davis@wvago.gov
Attorney for Plaintiff State of West Virginia

/s/ Laura E. McFarlane

Laura E. McFarlane (admitted *pro hac vice*)
Assistant Attorney General
Wisconsin Department of Justice
Post Office Box 7857
Madison, WI 53707-7857
(608) 266-8911
mcfarlanele@doj.state.wi.us
Attorney for Plaintiff State of Wisconsin

/s/ William T. Young

William T. Young
Assistant Attorney General
Wyoming Attorney General's Office
109 State Capitol
Cheyenne, WY 82002
(307) 777-7841
william.young@wyo.gov
Attorney for the Plaintiff State of Wyoming